

Huntington Park Municipal Code								
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TITLE 6 SANITATION AND HEALTH Chapter 5 WATER SYSTEM								

Article 4 Mandatory Water Conservation

[6-5.401 City actions.](#)

The Water Division shall monitor and evaluate the projected supply and demand for water by its customers, and shall recommend to the City Council the extent of the conservation required by the customers of the Water Division in order for the Water Division to prudently plan for and supply water to its customers. Thereafter, the City Council, by resolution, may order that the appropriate phase of water conservation be implemented, modified or rescinded in accordance with the applicable provisions of this article. Said resolution shall become effective immediately upon the adoption by the City Council and shall be published one time only in a daily newspaper of general circulation. The customer percentage curtailment provisions shall take effect with the first full billing period commencing on or after the effective date of the adoption by the City Council.

(§ 1, Ord. 484-NS, eff. April 17, 1991)

[6-5.402 General prohibition.](#)

No customer of the City shall make, cause, use or permit the use of water from the City in a manner contrary to any provision of this article or in an amount in excess of that use permitted by any curtailment provisions then in effect pursuant to action taken by the governing board in accordance with the provisions of this article.

(§ 1, Ord. 484-NS, eff. April 17, 1991)

[6-5.403 Phase I Shortage.](#)

(a) A Phase I shortage shall be declared when the City determines that future water supplies are uncertain. In this phase, the City requests a ten (10%) percent voluntary reduction in consumption by residents.

(§ 1, Ord. 484-NS, eff. April 17, 1991, as amended by § 1, Ord. 513-NS, eff. January 6, 1993)

[6-5.404 Phase II shortage.](#)

(a) A Phase II shortage shall be declared when the City determines that it is likely that it will suffer a five (5%) percent reduction in its water supply.

(b) The following restrictions of the use of water shall be in effect during a Phase II shortage:

(1) There shall be no hose washing of sidewalks, walkways, driveways, parking areas or other paved surfaces except as is required for sanitary purposes;

(2) Washing of motor vehicles, trailers, boats and other types of mobile equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinses, except that washing may be done at the immediate premises of a commercial car wash with reclaimed water;

(3) No water shall be used to clean, fill or maintain levels in decorative fountains, ponds, lakes or other similar aesthetic structures unless such water is part of a recycling system;

(4) No restaurant, hotel, cafe, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless expressly requested;

(5) All customers of the City shall promptly repair all leaks from indoor and outdoor plumbing fixtures;

(6) No lawn, landscape or other turf area shall be watered on days other than Monday, Wednesday and Friday and during the hours between 10:00 a.m. and 4:00 p.m.; except that this provision shall not apply to commercial nurseries or other water-dependent industries;

(7) No customer of the city shall cause or allow the water to run off landscape areas into adjoining streets, sidewalks or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.

(c) No customer shall take, cause, use or permit the use of water from the City for any purpose in an amount in excess of ninety-five (95%) percent of the amount used on the customer's premises during the corresponding billing period during the prior billing year.

(§ 1, Ord. 484-NS, eff. April 17, 1991, as amended by § 2, Ord. 513-NS, eff. January 6, 1993)

6-5.405 Phase III shortage.

(a) A Phase III shortage shall be declared whenever the City determines that it is likely that it will suffer a ten (10%) percent reduction in its water supply.

(b) The following restrictions on the use of water shall be in effect during a Phase III shortage:

(1) The restriction listed in Section 6-5.404, subsection (b) shall be in effect, except that residential outside watering of lawn, landscaping and other turf areas shall be modified to prohibit watering on days other than Monday and Thursday during the hours between 6:00 a.m. and 6:00 p.m.;

(2) Commercial nurseries and other water-dependant industries shall be prohibited from watering lawn, landscaping and other turf areas more often than every other day and between the hours of 10:00 a.m. and 4:00 p.m.; except that there shall be no restriction on watering utilizing reclaimed water.

(c) No customer shall take, cause, use or permit the use of water from the City for any purpose in an amount in excess of ninety (90%) percent of the amount used on the customer's premises during the corresponding billing period of the prior billing year.

(§ 1, Ord. 484-NS, eff. April 17, 1991, as amended by § 3, Ord. 513-NS, eff. January 6, 1993)

6-5.406 Phase IV shortage.

(a) A Phase IV shortage shall be declared when the City determines that it will suffer a fifteen (15%) percent reduction in its water supply.

(b) The following restrictions on the use of water shall be in effect during a Phase IV shortage:

(1) The restriction listed in Section 6-5.404, subsection (b) shall be in effect, except that there shall be no residential outside watering of lawn, landscaping and other turf areas at any time except by bucket;

(2) Commercial nurseries and other water-dependent industries shall be prohibited from watering lawn, landscaping and other turf areas more often than every third day and between the hours of 6:00 a.m. and 6:00 p.m.; except that there shall be no restriction on watering utilizing reclaimed water;

(3) The use of water from fire hydrants shall be limited to fire fighting related activities, and other uses of water for municipal purposes shall be limited to activities necessary to maintain the public health, safety and welfare.

(c) No customer shall take, cause, use or permit the use of water from the City for any purpose in an amount in excess of eighty-five (85%) percent of the amount used on the customer's premises during the corresponding billing period of the prior billing year.

(§ 4, Ord. 513-NS, eff. January 6, 1993)

6-5.407 Phase V shortage.

(a) A Phase V shortage shall be declared when the city determines that it will suffer a twenty (20%) percent reduction in its water supply.

(b) The application for relief may include a request that the customer be relieved, in whole or in part, from the water use curtailment provisions of Sections 6-5.404(c), 6-5.405(c) or 6-5.406(c).

(c) No customer shall take, cause, use or permit the use of water from the City for any purpose in an amount in excess of eighty (80%) percent of the amount used on the customer's premises during the corresponding billing period of the prior billing year.

(§ 5, Ord. 513-NS, eff. January 6, 1993)

6-5.408 Phase VI shortage.

(a) A Phase VI shortage shall be declared when the City determines that it will suffer a thirty (30%) percent reduction in its water supply.

(b) The application for relief may include a request that the customer be relieved, in whole or in part, from the water use curtailment provisions of Sections 6-5.404(c), 6-5.405(c) or 6-5.406(c).

(c) No customer shall take, cause, use or permit the use of water from the City for any purpose in an amount in excess of seventy (70%) percent of the amount used on the customer's premises during the corresponding billing period of the prior billing year.

(§ 6, Ord. 513-NS, eff. January 6, 1993)

6-5.409 Relief from compliance.

(§ 1, Ord. 484-NS, eff. April 17, 1991; repealed by § 1, Ord. 498-NS, eff. February 19, 1992, renumbered by § 7, Ord. 513-NS, eff. January 6, 1993)

6-5.410 Failure to comply.

(a) For each violation by any customer of the water use curtailment provisions of subsection (c) of Section 6-5.404, 6-5.405, 6-5.406, 6-5.407, or 6-5.408 a surcharge shall be imposed in an amount equal to 200 percent of the portions of the water bill that exceeds the respective percentage set in those five subsections.

(b) Violation by any customer of the water use prohibitions of Section 6-5.402, or restrictions found in subsection (b) of Section 6-5.404, 6-5.405, or 6-5.406 shall be penalized as follows:

(1) First Violation. The City shall issue a written notice of the fact of a first violation to the customer.

(2) The first violation after written notice to customer shall result in a One Hundred and no/100ths (\$100.00) Dollars fine for that first issued citation.

(3) Two Hundred and no/100ths (\$200.00) fine for the second citation issued.

(4) Five Hundred and no/100ths (\$500.00) fine for the third and subsequent citations issued.

(c) The City shall give notice of violation to the customer committing the violation as follows:

(1) Notice of violation of the water use curtailment provisions of subsection (c) of Section 6-5.404, 6-5.405, 6-5.406, 6-5.407, or 6-5.408 or of first violations of the water use prohibitions of Section 6-5.402 or of subsection (b) of Section 6-5.404, 6-5.405, or 6-5.406 shall be given in writing by regular mail.

(2) Notice of second or subsequent violations of the water use prohibitions of those sections shall be given in writing in the following manner:

(i) By giving the notice to the customer personally;

(ii) If the customer is absent from or unavailable at the premises at which the violation occurred, by leaving a copy with some person of suitable age and discretion at the premises and sending a copy through the regular mail to the address at which the customer is normally billed; or

(iii) If a person of suitable age or discretion cannot be found, then by affixing a copy in a conspicuous place at the premises at which the violation occurred and also sending a copy through the regular mail to the address at which the customer is normally billed;

(iv) The notice shall contain a description of the facts of the violation, a statement of the possible penalties for each violation, and a statement informing the customer of his or her right to a hearing on the merits of the violation pursuant to Section 6-5.411.

(§ 1, Ord. 484-NS, eff. April 17, 1991 as amended by §§ 2 and 3, Ord. 498-NS, eff. February 19, 1992, and §§ 1 and 2, Ord. 500-NS, eff. April 1, 1992, renumbered by § 7, Ord. 513-NS, eff. January 6, 1993, and § 2, Ord. 837-NS, eff. July 15, 2009)

6-5.411 Hearing regarding violation.

(a) Any customer receiving notice of a second or subsequent violation of subsection (b) of Sections 6-5.403, 6-5.404 or 6-5.405 shall have a right to a hearing by the Director of Field Services of the City of Huntington Park within fifteen (15) days of mailing or other delivery of the notice of violation.

(b) The customer's timely written request for a hearing shall automatically stay installation of a flow-restricting device on the customer's premises until the Director of Field Services renders his or her decision.

(c) The customer's timely written request for a hearing shall not stay the imposition of a surcharge unless within the time period to request a hearing, the customer deposits with the City money in the

amount of any unpaid surcharge due. If it is determined that the surcharge was wrongly assessed, the City will refund any money deposited to the customer.

(d) The decision of the Director of Field Services shall be final.

(e) The Director of Field Services may delegate his or her duties and responsibilities under this section as appropriate.

(§ 1, Ord. 484-NS, eff. April 17, 1991, renumbered by § 7, Ord. 513-NS, eff. January 6, 1993)

6-5.412 Additional water shortage measures.

The City may order implementation of water conservation measures in addition to those set forth in Sections 6-5.403, 6-5.404 and 6-5.405. Such additional water conservation measures shall be implemented in the manner provided in Section 6-5.401(c).

(§ 1, Ord. 484-NS, eff. April 17, 1991, renumbered by § 7, Ord. 513-NS, eff. January 6, 1993)

6-5.413 Public health and safety not to be affected.

Nothing in this article shall be construed to require the City to curtail the supply of water to any customer when such water is required by that customer to maintain an adequate level of public health and safety.

(§ 1, Ord. 484-NS, eff. April 17, 1991, renumbered by § 7, Ord. 513-NS, eff. January 6, 1993)